RAJYA SABHA

Wednesday, the 17th July, 1996/ 26th Asadha, 1918 (Saka)

The House met at eleven of the Clock, *Mr. Chairman* in the Chair

MEMBER SWORN

Shri Hiphei (Mizoram)

ORAL ANSWERS TO QUESTIONS

Rcconstitution of Sub-Committee of Inter-State Council

*101. DR. D. VENKATESHWAR RAO: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Union Government have decided to reconstitute and energise the sub-Committee of the Inter-State Council which was examining the im plementation of the recommendations of the Sarkaria Commission;

(b) whether it is a fact that this Committee was set up in 1990 for examination and making concrete suggestions on the Sarkaria Commission Report; and

(c) if so, by when this Committee has been asked to submit its recommendations for implementation of the Sarkaria Commission Report?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR) (a) to (c) The Inter-State Council was set up in 1990 under Article 263 of the Constitution with the following duties:—

(i) investigating and discussing such subjects, in which some or all of the States or the Union and one or more of the States have a common interest as may be brought up before it;

(ii) making recommendations upon any such subject and, in particular ,recommendations for the better coor-dination of policy and action with respect to that subject: and

(iii) deliberating upon such matters of general interest to States as may be referred by the Chairman of the Council.

As decided in its first meeting held on 10th October, 1990 a sub-committee of the Inter-State Council was constituted to examine the recommendations of the Sarkaria Commission on Centre—State Relations and submit its view and recommendations to the Council. The Sub-Committee was required to submit its report by 30th June, 1996. Its term expired on 30th June, 1996. Its re-constitution and extension of term are under consideration.

DR. D. VENKATESHWAR RAO: Mr. Chairman, Sir, the Sarkaria Commission was constituted in 1984. In 1990 the Inter-State Council and a sub-Committee of the Inter-State Council were constituted. There were 247 recommendations. Out of these 247 recommendations, certain recommendations were accepted by the Sub-Committee. Certain recommendations were not accepted and certain recommendations on issues like financial relations, which is supposed to be the most important one, were not addressed to by the Sub-Committee. The Sub-Committee did not meet for the last three years. Now the United Front Government in its common Minimum Programme has stated that the recommendations of the Sarkaria Commission will be implemented through legislation and administrative methods immediately. It is also stated that a high-level committee will be appointed to reivew and update the recommendations. In case the Government wants to implement the recommendations, what would be the exact time that it will take for implementing them? If it wants to update them by setting up a high-level committee, what is the programme of the Government? I would like to have specific time bound programme by way of answer from the Government.

SHRI MOHD. MAQBOOL DAR: Sir, constitution of the Inter-State Council is under consideration and all issues which the hon. Member has raised will be considered in a short period of time.

DR. D. VENKATESHWAR RAO: Sir, I have asked for some specific time.

MR. CHAIRMAN: The answer is shortly.' Please put your second supplementary.

DR. D. VENKATESHWAR RAO: Sir, my second supplementary is this. The Government is propagating the autonomy of the States. Even after 49 years of independence Centrally-Sponsored Schemes like Prime Minister's Rozgar Yojana, Employment Insurance Scheme, Jawahar Rozgar Yojana, etc., which come under the 2nd list of the Seventh Schedule of the Constitution and which are related to the State Governments, could not be implemented. So, in view of the statements given by the United Front Government that greater autonomy would be given -to the States in respect of financial matters, will the Government come forward by removing these and transferring the funds to the respective State Governments to implement the programmes at the local level with greater autonomy in financial matters?

SHRI MOHD. MAQBOOL DAR: This is also under consideration, Sir.

SHRI ASHOK MITRA: Sir, it is our eternal eperience that committees and sub-committees are appointed not to has ten decisions but to postpone them as long as one can. Therefore, I don't enter tain much hope that things would be moved speedily from now on in the whole area of issues which have been covered by the Sarkaria Commission. But I have one specific request to make to the Government. You know most of the discontent outside. What has been expre ssed with respect to financial matters has been concerning the application of article 356, that this has been used indiscrimi nately. Sometimes it has been used to .satisfy the personal whims of a Prime Minister and that was the reputation. There was at least a story about a Prime Minister who would dismiss a State Government at breakfast, another one at lunch and a third one at dinner time. Now this kind of a thing must stop. Therefore, suspending decisions on all other matters, could the Government at least give an assurance that within the next three months they will reach a decision with respect to either the deletion of article 356 or its substantial modification?

THE LEADER OF THE HOUSE (SHRI I.K. GUJRAL): Sir, I am glad that my hon. firend has raised this issue. All of us sitting on this side of the House have been unanimous on these points which my hon. friend has pointed out. I can assure him and the House that all the mentions about article 356 or other issues of autonomy are a serious commitment on the part of this Government. Therefore, the process has been set in motion. Sir, I may not be able to indicate the date because my hon. friend, the Home Minister, is not here. But as a member of the Government I can assure him that the disposal of this issue will be speedy.

SHRI ASHOK MITRA: We can assure that Mr. Gujral that we would put the same question at the end of three months.

SHRI I.K. GUJRAL: I will pass on this to the Home Minister.

SHRI SATISH AGARWAL: Sir, in reply to parts (a) to (c) of the Question, the hon. Minister has stated:

> "Investigating and discussing such subjects, in which some or all of the States or the Union and one or more of the States have a common interest as may be brought up before it;"

Sir, last year, the Tenth Finance Commission had submitted its recommendations. They were laid on the Table of the House. Then while replying to supplementaries the former Finance Minister, Dr. Manmohan Singh, answered about alternative formula of devolution of resources to the States comprising customs duty and corporate tax thereby giving 29 per cent of the total share of the total kitty to the States. That was the alternative formula of devolution

of Central resources to the States. It was to come into force from the 1st April, 1996 and four months have already elapsed. I would like to know from the hon.
Minister whether he will take it up on a priority basis to consult the States and evolve a formula and bring suitable amendments to the Constitution so that the States get more financial resources in order to meet the demand for removal of poverty as announced by the Prime Minister. This is a booklet where the Prime Minister says:

> "Removal of poverty is the top most issue on the national agenda. Programmes for generation of employment, creation of assets, imparting of productive skills, raising the income of very poor people would be strengthened and provided with larger funds."

This is the speech of the Prime Minister.

My question is: By what time will the hon. Minister be able to finalise this alternative devolution of resources so as to make available more resources -to the States?

SHRI I.K. GUJRAL: Sir, the hon. Member has rightly drawn our attention to what happened last year. Sir, in the meantime two Governments came. I think one of the Finance Ministers who was there is sitting on his side. Now a new Finance Minister has come. Sir, I can assure him that the commitment which the Prime Minister has made is a part of our assurance and we will implement it. But please don't ask me to tell the details because this is something which should be addressed to the Finance Minister, not the Home Minister.

SHRI SATISH AGARWAL: I am not asking from the Finance Minister. He has nothing to do with it.

SHRI I.K. GUJRAL: Are you asking about allocation of funds?

SHRI SATISH AGARWAL: I want to know whether a meeting of all the Chief Ministers would be called to decide whether it should be 29 per cent or 39 per cent. This is the problem which Dr. Manmohan Singh mentioned in this House. Some of the States are demanding 29 per cent and some States are not agreeable to 29 per cent. They want more. What is the response of the Government? He could not finalise it because the States were not unanimous. Will the Minister try to create consensus among the States? Will the hon. Minister call a meeting of all the Chief Ministers to discuss this particular issue of the Tenth Finance Commission whose recommendations were to have come into force on the 1st April, 1996?

SHRI I.K. GUJRAL: Sir, so far as the issue which the hon. Member has raised is concerned, I understand that the system of division of work is the concern of the Finance Ministry. He has rightly mentioned the name of Dr. Manmohan Singh, who is sitting here. I think he will also support my point that the Finance Minister should be concerned with it. Whatever you have said, I can assure you that I will pass on that to the Finance Minister.

SHRI VAYALAR RAVI: Sir, the hon. Leader of the House is giving an assurance or making a statement on article 356. Article 356 is an important provision in the Constitution.

We cannot blame each other for its use or misuse. This House has been a witness. The BJP Government was dismissed on the demand of people who are sitting today on this side. It means that there may be occasions in this country when article 356 may have to be invoked. The life and property of the citizen is protected by the State the Union Government or the State Government. The Union Government is duty-bound to protect the life and property of every citizen. You cannot abdicate that responsiblity. What will happen in Bengal? Will you give it full freedom?.... *(Interruptions)*.... My point is whether this Government can abdicate its duty towards the citizens of this countrv to protect their lives and

property. Can it give away this responsibility fully to the States? A lot of complaints have come. The Supreme Court has put some restrictions and prevented its misuse. Will it be wise to delete this provision *in totol*

SHRI I.K. GUJRAL: My hon. friend has himself been in the Home Ministry and he knows as to what happens in the States. If there are deficiencies, then, I think, he will have to look into his own garment more than looking to the other side. Anyhow, so far as we are concerned, we have never said that we are going to abolish article 356. A discussion is going on in the country as a whole that article 356 has not always been used discreetly. 1 think, on this point, there is consensus in this House as well. It should not be used for party purposes and it should not be used indiscreetly. It should be used discreetly and after a great deal of thinking. That is what I can assure the House.

SHRI N. GIRI PRASAD: Mr. Chairman, Sir, many references to the provisions contained in the Sarkaria Commission have been made. Though the Commission's Report was submitted more than ten years ago, as far as I know, after I entered this House, we never had occasion to discuss the Sarkaria Commission report. The Common Minimum Programme which has been adopted by the United Front has given a lot of space and a lot of weightage to it.

They have promised to take a two-track approach, that is , to immediately implement whatever is feasible and to set up a high-powered committee for the other things. On the basis of the answer to this question, I learnt that there was a sub-committee constituted by the earlier Government and its term was over on the 30th June. Now the consideration before them is to extend its term. I would like to. know how they plan to integrate the views -enunciated in the Common Minimum Programme with the views of the sub-committee which was set up by the earlier Government. I want to know the thinking of the Government on this specific matter, that is, the constitution of a high-powered committee.

SHRI MOHD. MA.QBOOL DAR: The Common Minimum Programme announced by the Government proposes to strengthen all forces or political virion with a strong Centre and strong States and viable local bodies. The Government proposes to advance the principles of political administration and economic fedaralism by effective devolution of powers and decentralisation of authority. It has been recognised that, since the last review of the Centre-State relations by the Sarkaria Commission more than eight years ago, there has been a sea change in the political and economic situation and there is a new articulation of States' rights and the need to give more powers to them. In this regard, the Government intends to pursue a two track policy. On the first track, the recommendations of the Sarkaria Commission on which there is already a broad consensus will be implemented through appropriate legislation and administrative action. As I mentioned in para 5, the recommendations have been considered by the sub-committee and it has arrived at a consensus.

SHRI S.B. CHAVAN: Sir, I would like to ask the hon. Minister whether he is aware of the fact that the recommendations of the Sarkaria Commission were considered by the Inter-State council and thereafter a sub-committe was constituted. And if I remember correctly, the Sub-Committee had taken a decision on almost 90 to 95 per cent of the recommendations and those recommendations were sent to the main body of the Interstate Council. I would like to know from the Government as to whether they are going to proceed on the basis of the recommendations as given by the Sub-Committee or they are going to completely start a new exercise. If that is going to happen, I am sure that it will take almost another five years to take a decision about the Centre-State relations. It was only in the context of financial allocation that the matter was hanging fire. On that also, the then Finance

Minister had called a meeting of all the Chief Ministers, and they also gave their recommendations. So, almost everything is ready, 90 to 95 per cent of the recommendations are ready. I would like to know what exactly the thinking of the Government is.

SHRI IK. GUJRAL: Sir, I am glad that the hon. former Home Minister has intervened in the subject. 1 am also glad that he has, at length, told us how much ground had been covered. I can assure the House of one thing. It is that the general approach is to build on what has aready been built. It is not to negate everything. But if there are some issues which do need reconsideration, the former Home Minister will not grudge us for that...*(Interruptions)*

SHRI TR1LOKI NATH CHATUR-VEDI: You wanted to update it. If so, what arc the implications of updating as mentioned in your Common Minimum Programme?

SHRI I.K. GUJRAL: Mr. Chaturvedi, may I seek your indulgence? I am not dealing with the subject. I am only trying to fill the gap because my hon. colleague has gone to Bihar in connection with the riot which took place. Therefore, I can assure the House in generality that whatever my frined, the hon. former Home Minister, has said is something that we value and respect.

Target for Opening of Post and Telegraph offices in the Country

*102. SHRI IQBAL SINGH: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether any target has been fixed for opening of post and telegraph offices in the country, during 1996-97;

(b) if so, the details thereof, State-wise :

(c) if not, the reasons therefor; and

(d) the steps being taken by Government in this regard?

श्री बेनी प्रसाद वर्मा (संचार मंत्री): (क) जी हां। देश में वर्ष 1996-97 के दौरान, 80 अतिरिक्त विभागीय शाखा डाकघर और 150 विभागीय उप डाकघर खोलने का लक्ष्य निर्धारित किया गया है।

तारघर खोलने के लिए कोई लक्ष्य निर्धारित नहीं किया गया है।

(ख) डाकघरों के लिए लक्ष्य पोस्टल सर्किल-वार आवंटित किए जाते हैं और ब्यौरे संलग्न विवरण में दिए गए हैं **(नीचे देखिए)**

(ग) उपर्युक्त (क) को ध्यान में रखते हुए डाकघरों के संबंध में प्रश्न नहीं उठता।

तारघर खोलने के लिए कोई लक्ष्य निर्धारित नहीं है क्योंकि तार सेवा मांग होने और परियात की मात्रा पर आधारित औचित्य सिद्ध होने पर प्रदान की जाती हैं।

(घ) डाकघर खोलने के लिए लक्ष्य डाक सर्किलों को आवंटित कर दिए गए हैं।

विवरण

वार्षिक योजना, 1996-97 के अंतर्गत विभागीय उप डाकघर और अतिरिक्त विभागीय शाखा डाकघर खोलने के लिए डाक सर्किल-वार लक्ष्य

क्रम सं॰	सर्किल का नाम	विभागीय उप डाकघर	अतिरिक्त विभागीय शाखा डाकघर
1.	आन्ध्र प्रदेश	5	2
2.	असम	4	2
3.	बिहार	11	10
4.	दिल्ली	10	1
5.	गुजरात	12	5
6.	हरियाणा	10	4